

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2020

CORAM

THE HONOURABLE Mr.JUSTICE R.SUBBIAH
AND
THE HONOURABLE Mr.JUSTICE C.SARAVANAN

C.M.P.No.3576 of 2020
in OSA.SR.12778 of 2020

(Heard through Video Conference)

1. Priya Krishnakumar
Proprietor, UDAYA MASALA,
216/A2, Senguttaipalayam,
Negamam Road,
Pollachi 642 120,
Coimbatore District.

2. Krishnakumar,
Proprietor SRI KRISHNA SPICES,
216/A2, Senguttaipalayam,
Negamam Road,
Pollachi 642 120,
Coimbatore District.

... Petitioners

Vs.

1. S.Sudhakar,
No.84, M.C.Road,
Old Washermanpet,
Chennai 600 021.
2. Shri Lakshmi Agro Foods Pvt. Ltd.,
No.9, N.N.Garden,
10th Street, Chennai 600 021.
Rep. by its Managing Director,
S.Sudhakar

... Respondents

CMP filed under Order XIV Rule 8 of the Rules of the Madras High Court, Original Side Rules, 1956 read with Clause 5 of Limitation Act to condone the delay of 14 days in filing the above appeal against the order in A.No.9557 of 2019 in C.S.No.324 of 2017.

For Petitioners : Mr.A.K.Mylsamy and Associates
For Respondents : Mr.R.Parthasarathy

ORDER

(Order of the Court was made by R.SUBBIAH, J.)

This Petition has been filed seeking to condone the delay of 14 days in filing the above appeal against the order dated 17.12.2019 made in A.No.9557 of 2019 in C.S.No.324 of 2017 on the file of this Court.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. On being satisfied with the reasons stated in the affidavit and upon hearing the learned counsels for both the parties, we are of the opinion that the delay of 14 days in filing the appeal cannot be construed as inordinate in nature. Hence, the delay could be condoned in the interest of justice, so that the petitioners / appellants will have an opportunity of putting forth their case in the Original Side Appeal and the matter can be heard on merits.

4. Accordingly, the delay of 14 days in filing the Original Side Appeal SR is condoned and this petition is allowed.

pvs
Internet: Yes



[R.P.S., J]

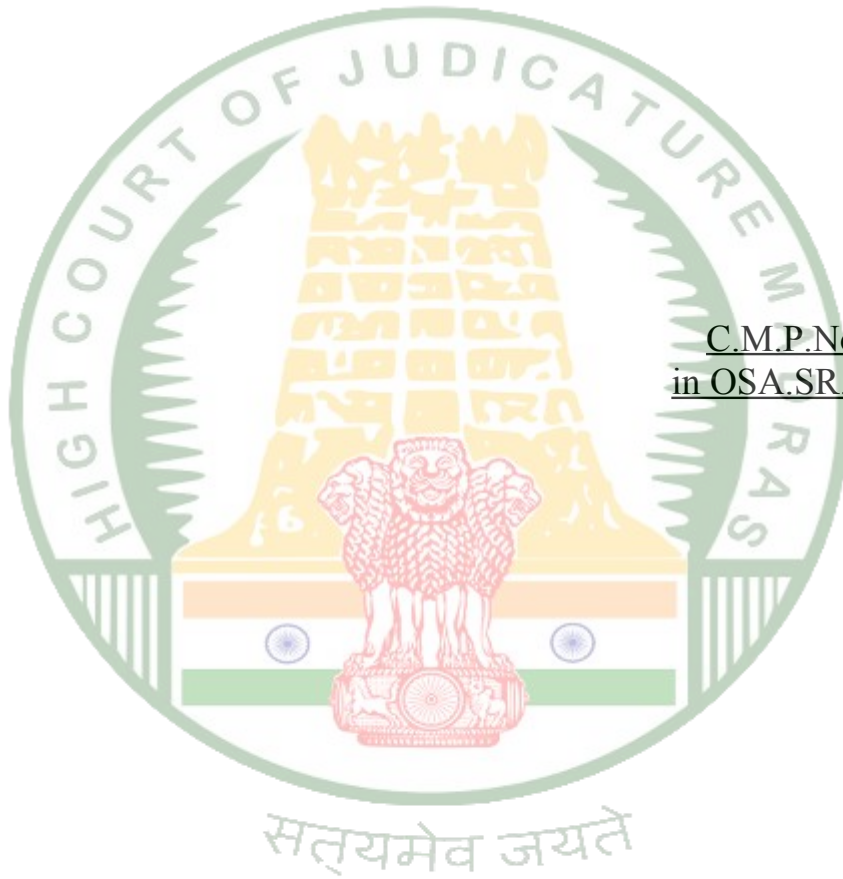
[C.S.N., J]

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